

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.39166 OF 2015

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

The grievance of the petitioner is with respect to non-consideration of his application made under G.O.Ms.No.747, Revenue (UC-I) Department, dated 18.06.2008. The petitioner's application is stated to have been acknowledged by giving Application No.12486, which is pending since 29.09.2008. However, alleging that no final decision is taken on the said application, the present Writ Petition is filed.

Learned Government Pleader for Revenue has received instructions from the Special Officer and Competent Authority, ULC, Hyderabad, the 2nd respondent, which *inter alia* state that the said application is originally made by Smt. Govind Baksh Bharathi relating to 167.28 sq. metres of land, but the said applicant expired on 23.04.2010 and hence, the same could not be processed. The fact of death of the applicant was known only when one of the sons of the applicant made an application, dated 20.07.2015, and the said son is the petitioner herein. It is also stated that there are other legal heirs and as such the application has to be considered with reference to all the legal heirs.

It is also mentioned that in the meanwhile, a requisition was received for requirement of 132.42 sq. yards of land in the premises bearing No.8-3-231/A/10/2 of Shaikpet Village, which was notified for acquisition for Metro Rail and accordingly ceiling surplus land was not

regularised as per the request of the petitioner.

It is evident from the above that the legal heirs of the deceased applicant seeking consideration of the application made by the deceased under G.O.Ms.No.747, dated 18.06.2008. It may be that, acquisition for the purpose of Metro Rail has intervened the matter to the extent covering about 133 sq. yards of land. However, leaving that land also a small part of the land is still left which is required to be considered by the respondents in terms of the said G.O. The instructions, referred to above, do not however show that the petitioner's application, as aforesaid, is considered and disposed of.

In view of the same, it is appropriate to direct the respondents to consider the aforesaid Application No.12486 in terms of G.O.Ms.No.747, dated 18.06.2008, and take appropriate decision in the matter, expeditiously, preferably on or before 31.01.2016 and communicate the same to the petitioner.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

21.12.2015

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